

**ORDINANCE NO. 2022-03
OF THE TOWN OF
ZIONSVILLE, INDIANA**

**AN ORDINANCE TO AMEND THE
TOWN OF ZIONSVILLE
ZONING ORDINANCE FOR
THE
TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA**

**AND FIXING A TIME WHEN THE SAME SHALL TAKE
EFFECT**

**Plan Commission Petition No.
2021-68-Z**

WHEREAS, L.C. § 36-7-4, et seq. empowers the Town of Zionsville Advisory Plan Commission, Boone County, Indiana, to hold public hearings and make recommendations to the Town Council of the Town of Zionsville, Boone County, Indiana, concerning ordinances for the zoning and districting of all lands within the incorporated areas of the Town of Zionsville, Boone County, Indiana; and

WHEREAS, in accordance with L.C. 36-7-4-600 et seq. the Town of Zionsville Advisory Plan Commission, Boone County, Indiana conducted a public hearing on January 18, 2022, to consider a proposal to amend the Town of Zionsville Zoning Ordinance for the Town of Zionsville, Boone County, Indiana, (the "Ordinance") filed as petition 2021-68-Z ("Town of Zionsville Rezone"); and

WHEREAS, the Town of Zionsville Advisory Plan Commission certified the proposal to amend the Ordinance to the Town Council of the Town of Zionsville, Boone County, Indiana, with a favorable recommendation on January 18, 2022 (Exhibit 1); and

WHEREAS, the Town Council of the Town of Zionsville, Boone County, Indiana, considered the Petition to amend the Ordinance at its regular meeting on February 7, 2022.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA, IN ACCORDANCE WITH L.C. 36-7-4-600 et. seq., AND ALL ACTS AMENDATORY AND SUPPLEMENTAL THERETO, AS FOLLOWS:

Section 1. The Zoning Ordinance for the Town of Zionsville Boone County, Indiana, is amended as follows:

- A. 2.25+/- acres described in the Petition is hereby amended to rezone the Property from the (R-1) Rural Single Family Residential Zoning District to the (R-2) Rural Single Family and Two-Family Residential Zoning District
- B. The Zoning Administrator shall cause the Town's Zoning Base Map to be amended to reflect this change in zoning.

Section 2. Conditions and Commitments. The Petition and this rezoning is subject to the listed conditions and commitments attached hereto if any.

Section 3. Savings Clause: If any title, section, subsection, phrase, clause, sentence, or word of this Ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

Section 4. Construction of Clause Headings: The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope or intent of the clause to which they appertain.

Section 5. Repeal of Conflicting Ordinances: The provisions of all other Town ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.

Section 6. Severability: If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

Section 7. Duration and Effective Date: The provisions of this Ordinance shall become and remain in full force and effect upon adoption and publication according to Indiana Law and until its repeal by ordinance.

DULY PASSED AND ADOPTED this ____ day of March 2022, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

**TOWN COUNCIL OF THE TOWN
OF ZIONSVILLE, BOONE COUNTY, INDIANA
(Signatures of Council Members)**

YEA

NAY

Jason Plunkett-President		
Brad Burk-Vice President		
Alex Choi		
Joe Culp		
Josh Garrett		
Craig Melton		
Bryan Traylor		

I hereby certify that the foregoing Ordinance was delivered to the Town of Zionsville mayor Emily Styron on the ____ day of March 2022 at ____ A.M./P.M.

ATTEST: _____
Amelia Lacy, Municipal Relations Coordinator

**MAYOR'S
APPROVAL**

Emily Styron, Mayor

DATE

**MAYOR'S
VETO**

Emily Styron, Mayor

DATE



**CERTIFICATION TO
THE TOWN COUNCIL
OF THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA**

January 18, 2022

To the Town Council of the Town of Zionsville, Indiana:

Be it advised that, pursuant to Indiana Code 36-7-4, on January 18, 2022, the Town of Zionsville Advisory Plan Commission (the "Commission"), by a vote of 5 in favor and 1 opposed, gave an **Favorable Recommendation** to proposal 2021-68-Z to amend the Zoning Map (the "Map") of the Town of Zionsville (Legal Description attached, "Exhibit A"). Proposal 2021-68-Z recommends that 2.25 ± acres described in the Petition be rezoned from the (R-1) Rural Single Family Residential Zoning District to the (R-2) Rural Single Family and Two-Family Residential Zoning District

The Town of Zionsville Advisory Plan Commission hereby certifies proposal #2021-68-Z to amend the Zoning Map (a copy of which is attached to this Certification and incorporated here by this reference, ("Exhibit B")) to the Town Council of Zionsville, Indiana, with a **Favorable Recommendation**.

**TOWN OF ZIONSVILLE
ADVISORY PLAN COMMISSION**



Dave Franz, President

Attest: _____


**Wayne DeLong, AICP, CPM
Secretary, Town of Zionsville Advisory Plan Commission**

Exhibit A
Legal Description

The West half of the Southwest quarter of sec. 32, twp. 18 N. range 2 East Beginning at a point on the West line of the aforesaid half section 187.82 feet North of the Southwest corner thereof; continue thence North along and with the said West line 380.63 feet; thence Eastwardly at right angles to the said West line 257.50 feet; thence South parallel to the aforesaid West line 380.63 feet; thence Westwardly on a line which is right angles to the aforesaid West line 257.50 feet to the place of beginning, containing 2.250 acres, more or less.

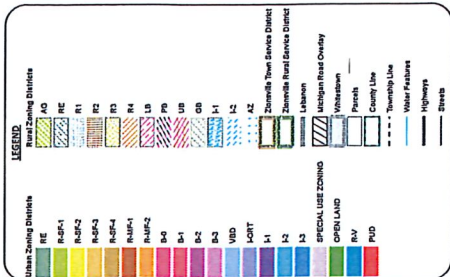
Commonly known as: 5929 South 700 E, Whitestown, IN 46075 in the County of Boone

Parcel Number: 06-08-32-000-018.000-005

ZONING MAP
JANUARY 1, 2015



ZIONSVILLE
FOR ALL THE RIGHT REASONS



RECOMMENDED BY THE PLAN COMMISSION, AND APPROVED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, AND AS AMENDED BY ZONING ORDINANCES.

- JEFF PAPA, PRESIDENT
- TIM HAAS
- ELIZABETH HOPPER

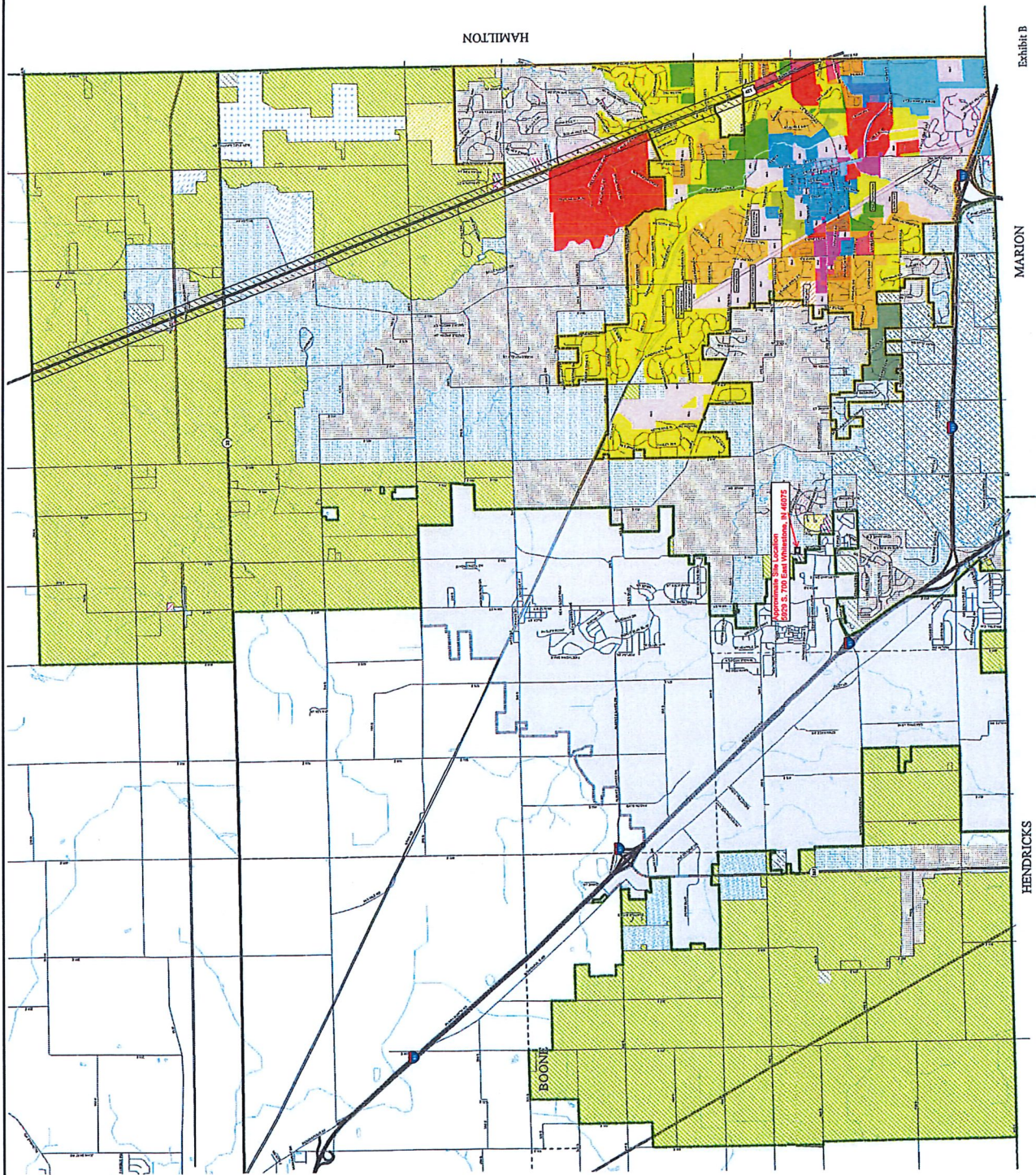


Exhibit B

MARION

HENDRICKS